

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

BRYAN MAXWELL,

Petitioner,

v.

//

CIVIL ACTION NO. 1:10cv98  
(Judge Keeley)

UNITED STATES OF AMERICA,

Respondent.

ORDER ADOPTING REPORT AND RECOMMENDATION (DKT. 10)  
AND DENYING PETITION FOR WRIT OF HABEAS CORPUS

On June 30, 2010, United States Magistrate Judge James E. Seibert issued a report and recommendation ("R&R") (dkt. 10) that recommended denying this petition pursuant to 28 U.S.C. § 2241 in its entirety. The R&R also specifically warned the petitioner, Bryan Maxwell ("Maxwell"), that his failure to object to the recommendation within fourteen days of receiving service would result in the waiver of his appellate rights on this issue. Maxwell received service of the R&R on July 2, 2010, and has not filed any objections. Maxwell's failure to object relieves the Court of any duty to conduct a de novo review of the findings and recommendations contained within the R&R. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

Accordingly, the Court **ADOPTS** the R&R in its entirety, **DENIES** the petition and **ORDERS** the case **DISMISSED WITH PREJUDICE** and stricken from the Court's docket.

It is so **ORDERED**.

ORDER ADOPTING REPORT AND RECOMMENDATION

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The Court directs the Clerk to enter a separate judgment order and to transmit copies of both orders to counsel of record, all appropriate agencies, and the pro se petitioner via certified mail, return receipt requested.

Dated: August 4, 2010

/s/ Irene M. Keeley  
IRENE M. KEELEY  
UNITED STATES DISTRICT JUDGE